

## **COMMISSION MEETING MINUTES**

### **Indiana Fire Prevention and Building Safety Commission**

Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

February 1, 2011

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:00 a.m. on February 1, 2011.
  - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Michael Christoffersen  
Michael Corey  
Todd Hite, Vice-Chairman, representing the Commissioner, Department of Health  
Kevin Goeden, representing the Commissioner, Department of Labor  
David Hannum, Chairman  
John Hawkins
  - (b) Commissioners not present at the Commission meeting:

Ron Brown  
Matt Mitchell  
Ted Ogle
  - (c) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services  
Gary Bippus, Administrative Law Judge  
John Hibner, Code Specialist  
John Haines, Code Specialist
  - (d) Deputy Attorney General James Schmidt was present.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the January 4, 2011 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Hawkins and seconded by Commissioner Christoffersen. It was voted upon and carried.

3. Ordinances.

Building Ordinance No. 2010-5  
Pennville, Indiana

Ripley County Building Ordinance No. 2010-03  
Ripley County, Indiana

A memo from Shelly Wakefield, Manager of Code Technical Development, introduced the proposed ordinances and recommended approval. Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

4. Variances.

Tabled Variances.

Chairman Hannum stated that variances 10-11-12(a)(b) Riley Jones House – 315 E. Charles Street, Muncie, and variance 11-01-32 The Family Center, Bloomington, had requested they be tabled for 30 days. Commissioner Corey moved to table, with the second by Commissioner Brenner. It was voted upon and carried. Variance 11-01-11 Goshen Road Bulk, Ft. Wayne, was represented by Tim Callas, J & T Consulting. He stated his client was unable to attend due to the weather conditions, and requested the application be tabled for thirty days. Commissioner Hawkins moved to table, with the second by Commissioner Brenner. It was voted upon and carried. Variance 11-01-38(a)(b)(c) Centerstone Supportive Housing Community, Richmond, was represented by Ed Rensink, RTM Consultants. In variance (a), a three-story residential building has a non-compliant center stairway due to water pipes and electrical conduit which penetrated the enclosure. Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was to allow a non-rated, decorative door to be used in a 30 minute corridor. Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. A proof of notice had not yet been delivered from the proponent's office for variance (c), and it was decided to hear this portion later in the meeting. Variance 11-01-41 Nestle ASRS, Anderson, was represented by Ed Rensink, RTM Consultants. He requested the variance be tabled for another month. Commissioner Christoffersen moved to table, with the second by Commissioner Corey. It was voted upon and carried. Variance 11-01-43(a)(b)(f) North of South, Indianapolis, was represented by Ralph Gerdes, Ralph Gerdes Consultants. The owner had not yet arrived with exhibits and handouts, and the proponent asked to be heard later on the agenda.

Regular Variances.

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. There being none, Commissioner Corey made the motion to approve the following variances with an "A" or "B" review rating by staff, with the second being made by Commissioner Christoffersen. It was voted upon and carried. Chairman Hannum announced he would ask for a block motion at the end of the variances for those which needed to be tabled by request.

The following variances were approved as submitted:

- (1) 11-02-1 Northlane Condominium, Bloomington
- (2) 11-02-3 425 E. Allen Street Windows, Bloomington
- (3) 11-02-12 Wawasee High School Additions, Syracuse
- (4) 11-02-15 PRF Project Corn, Indianapolis

- (5) 11-02-16 1504 S. Highland Avenue Windows, Bloomington
- (6) 11-02-17(c) The Avenue, Indianapolis
- (7) 11-02-21(b) St. Jude Elementary School, Indianapolis
- (8) 11-02-24(a)(b) Hendricks Regional YMCA, Avon
- (9) 11-02-25 Hoosier Court Apartments Egress II Windows, Bloomington
- (10) 11-02-26 Anderson University Recital Hall, Anderson
- (11) 11-02-27 517 E. 14<sup>th</sup> St. Windows, Bloomington
- (12) 11-02-28 504 E. 9<sup>th</sup> St. Windows, Bloomington
- (13) 11-02-29 508 E. 14<sup>th</sup> St. Windows, Bloomington
- (14) 11-02-31 New Augusta Public Academy North, Indianapolis
- (15) 11-02-32 Snacks Crossing Elementary School, Indianapolis
- (16) 11-02-33 Lincoln Middle School, Indianapolis
- (17) 11-02-34 Central Elementary School, Indianapolis
- (18) 11-02-35 College Park Elementary School, Indianapolis
- (19) 11-02-36 Deer Run Elementary School, Indianapolis
- (20) 11-02-37 New Augusta Public Academy School, Indianapolis
- (21) 11-02-38 Buck Creek School, LaGrange

Due to weather conditions affecting travel, Chairman Hannum announced he would go through the agenda, making note of those applications which did not have a proponent present at that time, and move on to the end of the list. He would then go back to those he noted in case the proponent had arrived in the meantime.

The following variances were heard separately:

- (22) 11-02-2 Glick Eye Institute, Indianapolis

Ben Wehner, Otis Elevators, spoke as proponent. The request was to use a Gen II machine roomless elevator system which does not comply with the current code. The specialized tools needed for inspection, and training in the use of those tools for the inspectors would be provided by Otis. Commissioner Corey moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (23) 11-02-5(a)(b) Indiana University Purdue University Ft. Wayne Parking Garage, Ft. Wayne

Ben Wehner, Otis Elevators, spoke as proponent. Dr. David Kish, Purdue University, also acted as proponent. In variance (a) the request was to allow the use of the Gen II machine roomless elevator system. The specialized tools needed for inspection and training in the use of those tools for the inspectors would be provided by Otis. Variance (b) was to allow the installation of a smoke detector in the shaft of the elevator. This is not allowed by code, but it was to be used for elevator recall by machine roomless systems to satisfy the NFPA 72 requirement of having a smoke detector in the machine space. Mike Koppes, Purdue University, advised the Commission that he had called NFPA and spoke with them about 72. The representative had said they recommend that the smoke detectors not be installed, and suggested the code officials should be advised to allow it to be omitted. Commissioner Christoffersen asked if the application could be revised at the meeting, and, when told that was allowable, Dr. Kish revised his application to request the smoke detector be omitted. Commissioner Christoffersen moved to approve both variance (a) and (b), with the second by Commissioner Brenner. It was voted upon and carried.

- (24) 11-02-7 Indiana Auto Auction, Indianapolis

Dave Julian, Designhouse Inc, spoke as proponent. The addition will be more than 600 feet from a fire hydrant, and the request is to be allowed to tie into the existing fire protection system and not install an additional hydrant. The cost to do so would be twice the amount of the total project. After discussion,

Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (25) 11-02-8 Baja Fresh – IU Memorial Union, Bloomington

David Walter, Indiana University, appeared as proponent. The request is to be allowed to install a duct system to remove grease laden vapors which does not comply with code's slope requirements for cleaning and grease removal due to the age and existing design of the building. The existing duct will be replaced in the near future, but still would not be compliant with slope requirements. Walter Knaepple, state inspector, also addressed the Commission, noting six additional clean-outs had already been added. After discussion of how often the ductwork would be inspected and cleaned, Commissioner Corey moved to allow a six months variance on an existing condition. After this time, they were to return with designs and a new variance request for areas which are not compliant. Commissioner Brenner made the second. It was voted upon and carried.

- (26) 11-02-9 Westhaven Apartments Pool, Zionsville

Steve Jones, Ice Miller, spoke as proponent. He was accompanied by David Wills, DRW Construction, and James Bisesi, Glick Whitestown LLC. The request was to allow skimmers to be used for a T-shaped pool in excess of 30 feet wide. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (27) 11-02-10 Keystone at the Crossing Sheraton Apartments, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow a non-compliant dryer duct length in an existing hotel being converted to apartments. An engineered system will be installed, and information on the system was provided to the Commission. A letter from the property manager promising routine maintenance was also submitted. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (28) 11-02-11(a)(b) Ball State University North Quadrangle Renovation, Muncie

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The requests dealt with access to the elevator equipment room. In variance (a) a compliant stair must be removed from the elevator penthouse to allow for the installation of new duct work. A 12 foot vertical ladder has been installed in its place. In variance (b) the existing parapet is less than the compliant 42 inches. Pavers will designate a path to the penthouse to keep workers away from the edge if using this alternative access route. Following discussion, Commissioner Corey moved to approve both (a) and (b), with the second by Commissioner Christoffersen. It was voted upon and carried.

- (29) 11-02-13 Indiana State University Pickerl Hall Renovation, Terre Haute

Ben Wehner, Otis Elevator, spoke as proponent. The request was to allow a machine roomless elevator. The specialized tools needed for inspection and training for the inspectors will be provided by Otis. Commissioner Corey moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (30) 11-02-17(a)(b) The Avenue, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow all units to exit through a horizontal exit into the parking garage then stairs. Following discussion, Commissioner Hawkins moved to approve variance (a), with the second by Commissioner Corey. It was voted upon and carried. Variance (b) is to allow exiting into the open parking garage which contains an open stair. Code allows open stairs in parking garages when they serve only the garage occupants. Following discussion, Commissioner Christoffersen moved that no variance was required. Commissioner Hawkins made the second. It was voted upon and carried.

- (31) 11-02-18 The Boulevard at Anson II Apartments Building 4, Whitestown

Missing information had been submitted, and the application now would have qualified to be included in the block vote. Commissioner Corey moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (32) 11-02-19 Opportunity Buys, Indianapolis

Timothy Callas, J & T Consulting, spoke as proponent. The request was to allow the use of an ESFR sprinkler system of 15 PSI for the addition as had been used in the existing warehouse. The cost to install a fire pump would be a hardship for the owner. NFPA 13 2007 and 2010 editions permit this design. After discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (33) 11-02-20 Harrison County Government Center, Corydon

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the county to omit the accessible men's and women's restroom in the 5-man Emergency Management suite. The project is essentially completed, and to comply would result in the loss of fixtures available. Following discussion, Commissioner Brenner moved to deny, with the second by Commissioner Hawkins. It was voted upon and carried.

- (34) 11-02-21(a) St. Jude Elementary School, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. This variance is a re-do of a previous application. Variance (a) was a request to allow the mezzanine, served by two unenclosed stairways, to be unseparated from the existing school. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (35) 11-02-22 Summit Building Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An office building, constructed in 1902, was being renovated to be used as an office building for Summit Realty. The request was to allow the existing elevator enclosure to remain unrated. The original elevator was an iron openwork shaft, and at some point plaster and lathe had been used to enclose it. The proposal is to expose some of the ornate ironwork around the enclosure, then maintain the plaster and lathe on the interior of the space while removing plaster from the outer face. A sprinkler curtain would then be provided around the enclosure on all four floor levels. After discussion, Commissioner Corey moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (36) 11-02-23(a)(b)(c) Lighthouse Community Church, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Walter Knaepple, Fire and Building Code Enforcement, assisted. A variance had been granted in 2009 allowing construction without sprinklers, and with a 2-hour fire wall. The building had been built differently than the plans, not properly filed with Plan Review, had shown, and without proper inspections. The addition was separated from the existing building by a four foot connector. Mr. Knaepple explained that the construction appeared to be done correctly, and that to install the fire barrier would not be difficult for them to accomplish, as well as the fire door. Commissioner Christoffersen moved to approve (a) and (b), with the second by Commissioner Hawkins. It was voted upon and carried with one nay. Variance (c) was to allow the building to not fully comply with the Energy Code. The building had been designed under the previous code, and the interior lighting and HVAC do not comply with the current code. Commissioner Hawkins moved to approve (c), with the second by Commissioner Christoffersen. It was voted upon and carried with one nay.

- (37) 11-02-40 Grill Room Renovation Project, Ft. Wayne

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A country club is expanding their dining area by enclosing a covered patio. Plan Review considered this an increase in the fire area, requiring sprinklers for the entire building or the separation of the new fire area by a 2-hour fire barrier. The request was to omit these requirements. Commissioner Hawkins moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (38) 11-02-39 The Julian Center 2010 Expansion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. In order to meet requirements in the Energy Code They must put sensors on the lights. Because they serve troubled and abused women who would be adversely, emotionally impacted by lights suddenly going on or off, the request was to be allowed to use non-compliant lighting in the renovation of this existing building. Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (39) 11-02-41(a)(b)(c) Family Dollar Services Indiana Distribution Center, Ashley

Michael Randall, Randall-Paulson Architects, spoke as proponent. Variance (a) was a request to space fire access doors to the high-pile storage area further apart than allowed by code. The building is equipped with an ESFR sprinkler system. The local fire marshal had also recommended approval. Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Noting that the issues in (b) and (c) had been discussed many times before, Commissioner Hawkins moved that variances (b) and (c) were not required, with the second by Commissioner Brenner. It was voted upon and carried.

- (40) 11-01-38(c) Centerstone Supportive Housing Community, Richmond

Ed Rensink, RTM Consultants, spoke as proponent. He requested this be tabled. Commissioner Brenner moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (41) 11-01-43(a)(b)(f) North of South, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The proponent withdrew variance (f) which was to delete Type A accessible units. Variance (a) was a request to allow mezzanines over the 33% allowed by code in Building 2b and 3b. These buildings do not have retail on the first floor. Discussion was held as to whether these were actually a mezzanine or an additional story. The proponent decided to table and amend the variance. Commissioner Hawkins moved to table, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (b) was a request for a 13R system for residential levels in the buildings which do have retail on the first floor or mezzanines. Scott Travis, Buckingham Rentals, noted that the ceiling finishes would be chosen by the occupants of the retail spaces. Support columns will be enclosed in the dividing walls between retail spaces as well. After discussion, Commissioner Hawkins made a motion to approved with the condition that a UL 916 rated assembly is used, no bar joists, and beams and columns are to have impact-resistant cementitious fireproofing. Commissioner Brenner made the second. It was voted upon and carried.

- (42) 11-02-4 21<sup>st</sup> Street Seniors II, Indianapolis  
(43) 11-02-6 Noblesville Senior / Meredith Meadows, Noblesville  
(44) 11-02-14 Scottsburg City Hall, Scottsburg  
(45) 11-02-30 515 E. 14<sup>th</sup> Street Windows, Bloomington

Commissioner Corey moved to table the above listed variances. Commissioner Christoffersen made the second. It was voted upon and carried.

5. Reconsideration of Variance 10-12-30 Spring and Beach Convenience Store, Ft. Wayne

Mara Snyder, Director of Legal and Code Services, advised the Commission that the variance, as approved, was for a structure 300 square feet smaller than the square footage as filed. She wished to confirm that the additional area did not impact the decision of the Commission. Following discussion, it was determined to have no impact on their decision.

6. Approval of Local Variances

Lugar Tower Site Development Project  
Indianapolis

16 Park Apartments  
Indianapolis

Commissioner Hawkins moved to approve the local variances. Commissioner Corey made the second. It was voted upon and carried.

7. **New Business – General.**

Discussion and Possible Commission Action

Southside Christian Church  
Administrative Cause No. 10-30  
Denial of Application  
Nonfinal Order of Dismissal

Commissioner Corey moved to grant the Nonfinal Orders of Dismissal. Commissioner Brenner made the second. It was voted upon and carried.

8. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 11:01 a.m. He then reconvened the meeting, calling it back to order at 11:06 a.m.

9. Discussion and Commission action on LSA Doc. #09-789 (Swimming Pool Code)

Commissioner Hite moved to adopt LSA Doc. #09-789 as published in the Indiana Register on November 24, 2010 as DIN:20101124-IR-675090789PRA, as amended by the changes contained in the recommended changed (revised) memo from John Hibner dated January 19, 2011, containing recommended changes from public comments.. Commissioner Corey made the second. It was voted upon and carried.

10. Discussion and Commission action on LSA Doc. #09-871 (Elevator Code)

Commissioner Corey moved to adopt LSA Doc. #09-871 as published in the Indiana Register on February 10, 2010 as DIN: 20100210-IR-675090871PRA, as amended by the proposed changes contained in the memorandum from staff dated January 31, 2011. Commissioner Brenner made the second. It was voted upon and carried.

11. Comments

Mara Snyder, Director of Legal and Code Services, thanked everyone for attending, and urged them to drive safely on their way home.

12. **Adjournment.**

Chairman Hannum called for further business, and upon hearing none, he adjourned the meeting at 11:09a.m.

APPROVED \_\_\_\_\_  
David Hannum, Chairman